

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

WATERS INDUSTRIES, INC., an Illinois corporation,)
v.)
OUTDOOR CAP CO., INC., an Arkansas corporation,)
Plaintiff,) Case No. 1:13-cv-07191
v.) Hon. Charles R. Norgle
OUTDOOR CAP CO., INC., an Arkansas corporation,) Mag. J. Sidney I. Schenkier
Defendant.)

**Defendant's Motion to Transfer to the
Northern District of Oklahoma or Alternatively to the Western District of Arkansas**

Pursuant to 28 U.S.C. § 1404(a), Defendant Outdoor Cap Co., Inc. (“Outdoor Cap”), through its undersigned counsel, respectfully moves the Court to transfer venue to the United States District Court of the Northern District of Oklahoma or alternatively to the United States District Court of the Western District of Arkansas. The basis for this motion is set forth in the Memorandum in Support of Defendant’s Motion to Transfer to the Northern District of Oklahoma or Alternatively to the Western District of Arkansas (“the Supporting Memorandum”), the attached Affidavit of Jerry House, the Complaint, and the exhibits being filed concurrently with this Motion and incorporated herein by reference.

WHEREFORE, for the reasons set forth in the Supporting Memorandum, Defendant respectfully requests that the Court enter an order transferring this case to the Northern District of Oklahoma or, alternatively, to the Western District of Arkansas.

Dated: October 31, 2013

Respectfully submitted,

/s/ Marshall J. Schmitt

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Certificate of Service

I HEREBY CERTIFY that on this 31st day of October, 2013, a copy of the foregoing document was filed electronically with the Clerk of the Court using the CM/ECF system and was served on the following counsel as indicated below.

<p>Timothy P. Maloney Eric L. Broxterman FITCH, EVEN, TABIN & FLANNERY 120 South LaSalle Street, Suite 1600 Chicago, Illinois 60603</p>	<input checked="" type="checkbox"/> Via CM/ECF Service <input type="checkbox"/> Via First Class Mail <input type="checkbox"/> Via E-mail: tpmalo@fitcheven.com ebroxterman@fitcheven.com
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/s/ Marshall J. Schmitt

Marshall J. Schmitt